

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-3875/1dn  
ARG:rs&cjs:kjf

September 26, 2001

The attached draft requires the department of transportation (DOT) to take a thumbprint of an applicant for a driver's license or identification card. The thumbprint may not appear on the driver's license or identification card document and must be kept confidential except for disclosure to the applicant or, with limitations, to a Wisconsin law enforcement agency. The attached bill is similar, in part, to existing statutory provisions relating to driver's license and identification card photographs. See ss. 343.14 (3) and 343.237, stats. However, the confidentiality statute relating to driver's license and identification card photographs includes a number of provisions that have been omitted from the attached draft, including a sunset date of December 31, 2002, a required report by DOT and the department of justice to the legislature, a specific penalty provision, a "no-fee" provision, and provisions allowing disclosure to out-of-state law enforcement agencies. See s. 343.237, stats. If you would like to treat thumbprints and photographs identically for confidentiality purposes, or add some but not all of the provisions in s. 343.237 to the attached draft, the attached draft could be modified to do so.

The attached draft requires that DOT take a single thumbprint. Is this consistent with your intent, or would you like to require prints of both thumbs?

Under existing law, upon driver's license renewal every eight years, a new photograph must be taken. The attached draft requires that a new thumbprint also be taken at this time. Is this consistent with your intent?

The attached draft does not provide a penalty for violation of the provisions requiring that thumbprints be kept confidential. Do you want to add a penalty provision to this draft, like the penalty for disclosure of driver's license photographs in s. 343.237 (10)?

The attached draft also includes a delayed effective date to allow DOT time to implement these administrative changes.

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